

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

AMILCAR NORAT COLLAZO

Case No. 18-03605-BKT

Chapter 13

Attorney Name: ALEXANDRA BIGAS VALEDON *

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input type="checkbox"/> Appearing:	Date & Time: 8/1/2018 1:52:00PM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: 0.00 <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors:
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 07/23/2018 Base: \$30,000.00 Payments 0 made out of 1 due. Confirmation Hearing Date: 9/7/2018 2:30:00PM Evidence of Pmt shown: Yes	
Attorney's fees as per R. 2016(b) \$3,000.00 - \$500.00 = \$2,500.00	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☒ Tax returns missing
 - ☒ State - years2017 State Tax Returns
 - ☐ Federal - years

Pending/Items/ Documents:

- ☒ DSO Recipient's Information
- Pending Waiver.
- ☒ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
- ☐ Premises
- ☐ Vehicle(s):
- ☐ Licenses issued by:

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Case No. 18-03605-BKT

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Attorney Name: ALEXANDRA BIGAS VALEDON *

Trustee's objection to confirmation

☐ Objection to Confirmation

☐ Oral objection by creditor

1. DOMESTIC SUPPORT OBLIGATION, (Recipient(s) data §1302(b)(6)):

Pending debtor's motion requesting entry of order requesting waiver regarding DSO information. Per debtor's motion he has no communication with one of his child's mother Ms. Norma Miranda Rivera nor his child. If Court grants debtor's motion, this will going to be an issue anymore.

2. DOMESTIC SUPPORT OBLIGATION, (Post-petition §1325(a)(8)): Debtor has 3 DSO account(s): \$1,100.00 monthly. Per Bankruptcy Code, as of the confirmation hearing date, he must file evidence with the court of being current in the DSO payments that became due post-petition.

NOTE: Ask to debtor how much he pays for each account. Also, he has to address whether he has an account with Ms Norma Miranda and another one with one of his child Amilcar Norat Mirando or it is the same account for both. In one hand debtor requests DSO waiver as to Ms. Norma Miranda and in the other one debtor listed his child Amilcar Norat Miranda as a creditor, also, he includes his child postal address.

3. OTHER:

a. Per Schedule "E" debtor listed postal address for Amilcar Norat Miranda. Does this is the child that debtor informs he has no contact in the motion requesting DSO Waiver?

b. Part 4.3 of the plan disclose balance of atty fees paid pre-petition of \$750.00 with an outstanding balance of of \$2,250.00, however, per disclosure of compensation is \$500.00 with a balance of \$2,500.00. Trustee informs that per SOFA line 16 pre-petition fees paid by the debtor was \$500.00. Retainer was \$750.00

5. FAILS DISPOSABLE INCOME TEST, §1325(b)(1)(B):

Debtor works for his own corporation and receives weekly paychecks. His only payroll expenses are taxes. In the SCMI Form 122C-2 at line 43 debtor discloses business expenses of \$6,706.21. If this expense is eliminated case would have an unsecured pool of approximately \$213.97 by 60 months = \$12,838.20. Why is debtor entitle to claim business expenses of his corporation. Also, he is not provided evidence of incurring in such expenses.

The following party(ies) object(s) confirmation:

s/Elvis Cortes

Trustee/Presiding Officer

Date: 08/01/2018

(Rev. 05/13)